

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

United States of America

v.

Hector Barreto-Miranda

Case No.

3:20-MJ-1080

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 9, 2020 in the county of Jefferson in the  
Eastern District of Tennessee, the defendant(s) violated:

Code Section

8 U.S. Code § 1326(a)

Offense Description

Unlawful Re-entry by Illegal Alien

This criminal complaint is based on these facts:

See attached Affidavit of Deportation Officer Matthew Grooms.

☒ Continued on the attached sheet.

Complainant's signature

Matthew Grooms, Deportation Officer, HSI/ICE

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/21/2020

City and state: Knoxville, Tennessee

Judge's signature

Debra C. Poplin, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Matthew Grooms, am a Deportation Officer (DO) of the United States Department of Homeland Security, Immigration and Customs Enforcement, and, being duly sworn, state the following information to be true to the best of my knowledge, information, and belief:

1. I have been employed as a Deportation Officer with the United States Department of Homeland Security since 2012. Prior to that, I was a U.S. Border Patrol Agent for 4 years. I am a graduate of the Federal Law Enforcement Training Center and the U.S. Border Patrol Academy. During my career, I have personally investigated violations of federal and state laws related to illegal re-entry by undocumented aliens.

2. This complaint is based on the following facts, which are either known to me personally or have been told to me by other law enforcement officials.

3. Hector Barreto-Miranda (hereinafter "the defendant") is a native of Mexico. The defendant has never held citizenship in the United States of America.

4. Records indicate that the defendant was ordered deported by an Immigration Judge on September 28, 2010. The defendant was thereafter deported on October 07, 2010.

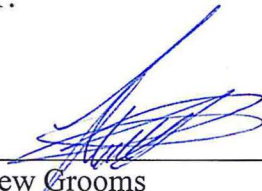
5. On May 09, 2020, the defendant was arrested by the Jefferson County Sheriff's Office for identity theft, trespassing, and subsequent sex offender registry violation after being booked at the Jefferson County Jail where he is currently incarcerated. The defendant was previously charged with aggravated rape and kidnapping in Memphis, Tennessee, on May 04, 2009. The defendant was subsequently convicted of criminal attempted sexual battery on June 30, 2010, and sentenced to one year of incarceration.

6. The defendant was referred to me as the on-call agent for Immigration and Customs Enforcement by the Jefferson County Sheriff's office on May 10, 2020, after the defendant was

booked and fingerprinted. Based upon voluntary statements made by the defendant and positive biometric confirmation of previous removal from the United States, an ICE Detainer (I-247A) and Administrative Warrant of Removal (I-205) were transmitted to the Jefferson County Jail via facsimile.

7. Based upon the foregoing information, probable cause exists to believe that the defendant, Hector Barreto-Miranda, is in violation of Title 8, United States Code, Section 1326(a), Unlawful Re-entry of Removed Alien.

FURTHER AFFIANT SAYETH NAUGHT.

---

Matthew Grooms  
Deportation Officer  
Bureau of Immigration and Customs Enforcement

Subscribed and sworn to before me  
this 21st day of May, 2020.

---

United States Magistrate Judge  
Debra C. Poplin